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November 20, 2023

Via ECF

Honorable Katherine Polk Failla
United States District Court, S.D.N.Y.
40 Foley Square, Room 2103
New York, New York 10007

MEMO ENDORSED

Re: ***Haynes et al. v. Maldonado et al.***, Case No. 1:23-cv-08051

Dear Judge Failla:

I write on behalf of Plaintiffs Shelton J. Haynes and Gretchen K. Robinson (“Plaintiffs”) in the above-referenced matter to provide an update on Plaintiffs’ November 7, 2023 letter requesting a stay of the proceedings pending Plaintiffs’ receipt of Notice of Right to Sue Letters. (Dkt. 27).

On November 17, 2023, the Equal Employment Opportunity Commission (“EEOC”) issued Plaintiffs’ Notice of Right to Sue Letters for their EEOC charges filed against the Executive Chamber for the Office of the Governor of New York (the “Chamber”) and the Roosevelt Island Operating Corporation (“RIO”). As a result, by December 18, 2023, Plaintiffs intend to amend their complaint to add Title VII claims against the Chamber and RIO, as well as additional allegations of retaliation.

Respectfully submitted,

/s/ *Milton L. Williams*

Milton L. Williams
Attorney for Plaintiffs

cc: All Parties (via ECF)

The Court is in receipt of Plaintiffs' application to stay this action pending resolution of Plaintiffs' ongoing Equal Employment Opportunity Commission ("EEOC") proceedings (Dkt. #27); Defendants' response to Plaintiffs' application (Dkt. #28); Defendants' request for a pre-motion conference concerning Defendants' anticipated motion to dismiss (Dkt. #29); Plaintiffs' opposition to Defendants' request (Dkt. #30); and Plaintiffs' above letter indicating their receipt of Notice of Right to Sue Letters from the EEOC (Dkt. #31).

In light of Plaintiffs' above letter, the Court hereby DENIES Plaintiffs' application to stay as moot. The Court further DENIES without prejudice to renew Defendants' request for a pre-motion conference regarding Defendants' anticipated motion to dismiss. Plaintiffs shall file their amended complaint on or before **December 18, 2023**, in response to which Defendants may answer, choose to renew their request for a pre-motion conference, or otherwise take appropriate action.

The Clerk of Court is directed to terminate the pending motions at docket entries 27 and 29.

Dated: November 22, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE